

Waiver of Indictment

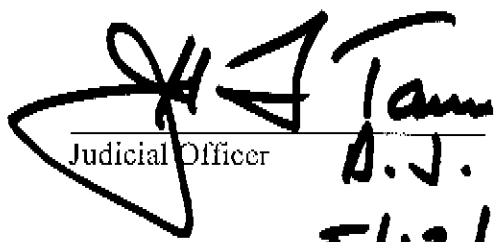
**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS**

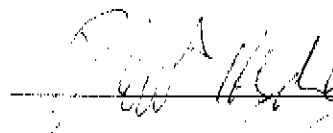
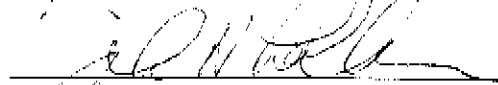
UNITED STATES OF AMERICA )  
 )  
 v. ) Criminal No. 04-10074-JLT  
 )  
 PHILLIP W. HYDE )

**WAIVER OF INDICTMENT**

I, **PHILLIP W. HYDE**, the above-named defendant, who is accused of mail fraud in violation of 18 U.S.C. §1341, being advised of the nature of the charge, the proposed information, and my rights, hereby waive in open court on May 12, 2004 prosecution by indictment and consent that the proceeding may be by information instead of by indictment.

Before:

  
Judicial Officer Tamm  
D.J.  
5/12/04

  
Defendant  
  
Counsel for the Defendant